

REMARKS

The Office Action dated November 17, 2005, has been received and carefully noted. The following remarks are submitted as a full and complete response thereto. Claims 1-15 are pending and respectfully submitted for consideration.

Rejection Under 35 U.S.C. § 102

Claims 1-15 were rejected under 35 U.S.C. § 102(a) as being anticipated by JP-2003-292039 (Irikura, Ko et al.). As a preliminary matter, the Applicants note that in the JP 2003-292039 document sent with the Office Action, the first name of the inventor is incorrect. The correct first name of the inventor Irikura is "Hagane". The corrected first name of the inventor is shown under item (72) on the attached reissued "Patent Abstracts of Japan", Application number 2003-292039.

The Applicants traverse the rejection and respectfully submit that JP-2003-292039 is not a proper reference to apply against the claims in this application.

The present application was filed in the U.S. on September 5, 2003, but has an effective U.S. invention date of September 6, 2002, based on Japanese Patent Application No. JP 2002-261424 filed September 6, 2002. The present application also claims priority to Japanese Patent Application JP-2003-292039 filed August 12, 2003. Therefore, the present application has an effective filing date of September 6, 2002. The Office Action of November 17, 2005, acknowledged a priority of the present application to the Japanese patent applications. JP 2003-292039 is a priority application to the present application and was published on April 15, 2004. Therefore, the

Applicants submit that JP 2003-292039 is not a valid reference under 35 U.S.C. § 102, because the earliest publication date of JP 2003-292039 is after the earliest effective invention date of the present application.

In addition, 35 U.S.C. § 102(a) requires that the prior art be "by others". In this case, JP-2003-292039 has the same inventors as the present application. Therefore, JP-2003-292039 is not a reference against the claims in the present application.

Conclusion

Accordingly, the Applicants respectfully request withdrawal of the rejection of claims 1-15, allowance of claims 1-15 and the prompt issuance of a Notice of Allowability.

Should the Examiner believe anything further is desirable in order to place this application in better condition for allowance, the Examiner is requested to contact the undersigned at the telephone number listed below.

In the event this paper is not considered to be timely filed, the Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper,

may be charged to counsel's Deposit Account No. 01-2300, referencing Attorney Dkt.
No. 026390-00010.

Respectfully submitted,



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RLB/wbp

Enclosure: Patent Abstracts of Japan, Application number 2003-292039.

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PATENT ABSTRACTS OF JAPAN

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(21)Application number : 2003-292039

(71)Applicant : ULVAC JAPAN LTD

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(72)Inventor : IRIKURA HAGANE
TAKAHASHI YOSHIKAZU

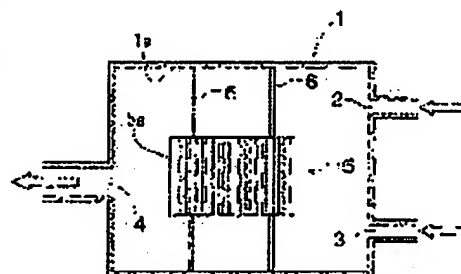
(30)Priority

Priority number : 2002261424 Priority date : 06.09.2002 Priority country : JP

(54) ANTIBACTERIAL POLYMER AND ITS PRODUCTION METHOD, ANTIBACTERIAL POLYMER COATING FILM AND ITS MAKING METHOD, AND ARTICLE HAVING THE COATING FILM ON ITS SURFACE

(57)Abstract:

PROBLEM TO BE SOLVED: To provide an antibacterial polymer and its producing method, an antibacterial polymer coating film and its making method, and an article applied with the antibacterial polymer coating film.
SOLUTION: The antibacterial polymer is comprised of a polyimide, a polyamide, a polyurea, or a polyazomethine, which is a product of a deposition polymerization reaction of a diaminobenzoic acid monomer or a halogen element-containing diamine monomer and a monomer which can react with the former monomers. The producing method of the antibacterial polymer comprises a vapor deposition polymerization of a gas obtained by vaporizing the diaminobenzoic acid monomer or the halogen element-containing diamine monomer and a gas obtained by vaporizing the monomer which can react with the former monomers on the surface of the article to be deposited in vacuum.



LEGAL STATUS

[Date of request for examination]

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CORRECTION

[Date of Correction] 12.01.2006

[Inventor] [PAJ ORIGINAL] IRIKURA KO
[CORRECTED] IRIKURA HAGANE